IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 8883 of 2004(G)

PETITIONER:

T.K. SUDHAKARAN NAIR, THEKKUMKATTIL,
THODUPUZHA P.O., IDUKKI - 585 584.

BY ADV. SRI.S.K.MURALEEDHARA KAIMAL
SRI.A.K.MADHAVAN UNNI
SRI.B.RAJESH

RESPONDENTS:

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1. THE THODUPUZHA MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, THODUPUZHA
MUNICIPA OFFICE, THODUPUZHA-685 584.

2. THE DIRECTOR, DIRECTORATE OF
MUNICIAPAL ADMINISTRATION, GOVERNMENT OF
KERALA, THIRUVANANTHAPURAM.

3. THE SECRETARY, DISTRICT PLANNING
COMMITTEE (D.P.C) IDUKKI,
(DISTRICT COLLECTOR, PINAVU IDUKKI.)

4. DOMINIC PANANGATTU (P.W.D. CONTRACTOR)
PANANGATTU HOUSE, CHILAVU P.O., THODUPUZHA.

5. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, DEPARTMENT OF LOCAL ADMINISTRATION
GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.V.M.KURIAN FOR R1
SRI.A.V.THOMAS
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE RESOLUTION PASSED IN THE WARD SABHA HELD ON 8.7.2001.

EXT.P2: COPY OF COMPLAINT DTD.30.11.2001 ADDRESSED TO THE GRIEVANCE CELL OF THE HON'BLE CHIEF MINISTER.

EXT.P3: COPY OF REPLY LETTER DTD. 18.11.2002 ISSUED FROM THE GRIEVANCE CELL OF THE HON'BLE CHIEF MINISTER.

EXT.P4: COPY OF PETITION DTD. 14.1.2002 ISSUED BY THE PETITIONER TO THE 1ST AND 3RD RESPONDENT.

EXT.P5: COPY OF REPLY LETTER DTD. 22.1.2003 ISSUED TO THE PETITIONER BY THE 1ST RESPONDENT.

EXT.P6: COPY OF THE ORDER OF THE GOVERNMENT DTD. 26.3.2003.

EXT.P7: COPY OF THE TENDER NOTIFICATION DATED. 22.1.2004 APPEARED IN KERALA KAUMUDI DAILY DTD. 25.1.2004.

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RESPONDENT'S EXHIBITS: NIL

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// TRUE COPY//

P.S. TO JUDGE.

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.8883 OF 2004-G

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Dated this the 6th day of July, 2007.

JUDGMENT

This writ petition is filed alleging manipulation of the minutes book and misuse of plan funds and by seeking a direction to stay the works covered by items 2 and 3 in Ext.P1.

2. The petitioner, who is stated to be the convenor of a beneficiary committee, contends that there was an unanimous resolution on 8-7-2001 to utilise plan funds set apart for Ward No.2 for the year 2001-02 for the development of the Mullakkal Temple Road and for

reasons best known to the Ward Councillor and the first respondent, the pages containing that decision have been torn off from the minutes book and there is fabrication and manipulation of record.

The utilisation of plan funds for the relevant year is already over. The materials on record do not disclose any ground on which any further action is called for. The writ petition fails. Dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-